Attorney's Docket No.: 384818018US1

<u>PATENT</u>

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

a patent is sought on the	invention entitled	w) of the subject matter which is JSINESS APPLICATIONS VIA A		
the specification of which				
was filed		olication Number		as
а	ind was amended on (N	(if applicab	le)	
including the claim(s), as I acknowledge the duty to defined in Title 37, Code	disclose all information	n known to me to be material to p	oatentabil	ity as
foreign application(s) for	patent or inventor's cert tent or inventor's certific	e 35, United States Code, Sectio tificate listed below and have also cate having a filing date before th	o identifie nat of the	d below an application
foreign application(s) for foreign application for part	patent or inventor's certific tent or inventor's certific ed:	tificate listed below and have also	o identifie	d below an application ty
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foreign application(s) for foreign application for part on which priority is claimed. Prior Foreign Application	patent or inventor's certificed: (s)	tificate listed below and have also cate having a filing date before the distribution of the case of t	o identifie nat of the Priori <u>Claim</u>	d below an application ty ned
foreign application(s) for foreign application for part on which priority is claimed. Prior Foreign Application of Number	patent or inventor's certificated: (s) Country	(Foreign Filing Date - (Foreign Filing Date -	o identifienat of the Priori Claim Yes	d below an application ty ned No
foreign application(s) for foreign application for part on which priority is claimed. Prior Foreign Application of Number Number Number	center or inventor's certification or inventor's certification. (S) Country Country Country t under Title 35, United	(Foreign Filing Date - MM/DD/YYYY) (Foreign Filing Date - MM/DD/YYYY) (Foreign Filing Date - MM/DD/YYYYY)	Priori Claim Yes Yes	d below any application by ty ned No
foreign application(s) for foreign application for part on which priority is claimed. Prior Foreign Application of Number Number Number	center or inventor's certification or inventor's certification. (S) Country Country Country t under Title 35, United listed below: 12/02/2002	(Foreign Filing Date - MM/DD/YYYY)	Priori Claim Yes Yes	d below any application by ty ned No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filling date of the prior application and the national or PCT international filing date of this application: **Application Number** (Filing Date - MM/DD/YYYY) Status - patented. pending, abandoned Application Number (Filing Date - MM/DD/YYYY) Status -- patented. pending, abandoned I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith Send correspondence to Maurice J. Pirio _, Perkins Coie LLP, Patent - SEA, P.O. Box 1247, Seattle WA 98111-1247 and direct telephone calls to Maurice J. Pirio (206) 359-8548. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of Sole/First Invente Inventor's Signatur Date Residence Newcastle, Washington Citizenship Brazil Post Office Address _8130 126th Place SE New Castle, Washington 98056 Full Name of Second/Joint Inventor _ Nicholas J. Brown Inventor's Signature Residence Lynnwood, Washington

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APPENDIX A

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APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

- (a) A patent by its very nature is affected with a public interiest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.